

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR05-62 RSM

Plaintiff,

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

v.

ERIC COCKETT,

Defendant.

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on June 23, 2005. The United States was represented by Vince Lombardi. The defendant was represented by Paula Deutsch. The proceedings were recorded.

CONVICTION AND SENTENCE

Defendant had been convicted of Distribution of a Controlled substance on or about April 13, 1995. The Hon. Barbara J. Rothstein of this court sentenced Defendant to 120 months of confinement, followed by five years of supervised release. The Honorable Ricardo S. Martinez has been assigned this case.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

USPO Robin Elliot alleged that Defendant violated the conditions of supervised release in 2 respects:

- (1) Using marijuana on May 10, 2006, in violation of standard condition number 7.
- (2) Committing the crime of Possession of Marijuana, on May 12, 2006, in violation of the condition that he not commit a Federal, State or local crime.

At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At today's hearing Defendant admitted the violations one and two. He waived any hearing as to whether it occurred, and the Government has agreed to withdraw violations three through five. Cockett consented to having the matter set for a disposition hearing before the Hon. Ricardo S. Martinez.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged have and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 23rd day of June, 2006.



MONICA J. BENTON
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. Ricardo S. Martinez
	Assistant U.S. Attorney	:	Vince Lombardi
	Defense Attorney	:	Paula Deutsch
	U. S. Probation Officer	:	Robin Elliott